

ADOPTING ORDINANCE

AN ORDINANCE

"An Ordinance Adopting and Enacting a New Code of Ordinances for the City of Manchester, NH; Establishing the Same; Revising, Amending, Restating, Codifying, and Compiling certain existing General Ordinances of the City dealing with subjects embraced in said Code; Providing for the Effective Date of Such Code and a Penalty for the Violation Thereof; Providing for the Manner of Amending Such Code; and Providing When this Ordinance Shall Become Effective."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

Whereas, the present General Ordinances of the City of Manchester are incomplete and inadequate and the manner of arrangement, classification and indexing thereof is insufficient to meet the immediate needs of the City; and

Whereas, the Acts of the State Legislature of the State of New Hampshire empower and authorize the City Legislative Body of this City to revise, amend, restate, codify and to compile any existing ordinance or ordinances and all new ordinances not heretofore adopted or published and to incorporate said ordinances into one ordinance in book form; and

Whereas, the Board of Mayor and Aldermen of the City of Manchester has authorized a general compilation, revision and codification of the ordinances of the City of a general and permanent nature and publication of such ordinances in book form.

NOW, THEREFORE, BE IT ORDAINED by the Board of Mayor and Aldermen that:

Section 1. The general ordinances of the City of Manchester as herein revised, amended, restated, codified, and compiled in book form are adopted and enacted as the "Code of Ordinances of the City of Manchester," and shall supersede all other general and permanent ordinances passed by the Board of Mayor and Aldermen on or before October 1, 1996, except such as are by reference thereto expressly saved from repeal or continued in force and effect, or as detailed in Section 3.

Section 2. Said Code as adopted in Section 1 shall consist of the following titles, to-wit:

Title I	General Provisions
Title III	Administration
Title V	Public Works
Title VII	Traffic Code
Title IX	General Regulations
Title XI	Business Regulations
Title XIII	General Offenses
Title XV	Land Usage

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Section 3. The repeal provided for in Section 1 hereof shall not affect any offense committed or penalty incurred or any right established prior to the effective date of said Code, nor shall such repeal affect any ordinance:

- (a) Extending or contracting the boundaries of the City;
- (b) Levying or otherwise affecting any taxes, not inconsistent herewith;
- (c) Making or otherwise affecting any appropriations;
- (d) Appropriating money;
- (e) Authorizing or directing the issuance of any bonds or other evidence of indebtedness;
- (f) Authorizing or directing the making of any investment;
- (g) Promising or guaranteeing the payment of money for the City;
- (h) Relating to franchises or granting special rights to certain persons;
- (i) Providing for local improvements, or making assessments therefor;
- (j) Authorizing, directing or ratifying any purchase or sale;
- (k) Affecting any contract or obligation assumed by the City;
- (l) Pertaining to zoning or rezoning;
- (m) Granting or accepting easements, plat or dedication of land to public use;
- (n) Regulating or restricting traffic;
- (o) Dedicating, naming, establishing, opening, paving, widening, vacating, abandoning, changing, or accepting any street, highway, alley, park, square, playground, building, bridge, terminal, ski area or easement within the City or setting the boundaries of streets, alleys or other public places;
- (p) Establishing or prescribing grades in the City, regulating or restricting traffic or parking in particular locations in the City, not inconsistent herewith;
- (q) Approving or accepting any subdivision or plat in the City;
- (r) An ordinance enacted March 28, 1868, entitled "A by-law and ordinance regulating the taking of inventory and the appraisal of property for taxation, and in regard to the assessment and abatement of taxes and issuing warrants for the collection of the same";
- (s) nor to any other ordinance of a temporary or special nature or pertaining to subjects not contained therein.

Section 4. The repeal provided for by Section 1 hereof shall not be construed to revive any ordinance or part

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thereof that has been repealed by a subsequent ordinance which is repealed by this ordinance.

Section 5. That any and all additions and amendments to such Code when passed in such form as to indicate the intention of the Board of Mayor and Aldermen to make the same a part thereof, shall be deemed to be incorporated in such Code so that reference to the "Code of Ordinances, City of Manchester, New Hampshire" shall be understood and intended to include such additions and amendments.

Section 6. Said Code shall be deemed published as of January 31, 1997, and approved by the Board of Mayor and Aldermen. The City Clerk is hereby authorized and ordered to file a copy of said Code in the Office of the City Clerk.

Section 7. Said Code shall be in full force and effect from the date of its publication and filing thereof in the Office of the City Clerk, and said Code shall be presumptive evidence in all courts and places of the ordinance and all provisions, sections, penalties and regulations therein contained and of the date of passage, and that the same is properly signed, attested, recorded and approved and that any public hearings and notices thereof as required by law have been given.

January 7, 1997. In Board of Mayor and Aldermen. Passed to be Enrolled.

January 7, 1997. In Board of Mayor and Aldermen. Passed to be Ordained.

Raymond J. Wieczorek /s/
Mayor

A TRUE RECORD.

ATTEST.

Leo R. Bernier /s/
City Clerk